

02-14-02

A

**UTILITY PATENT APPLICATION TRANSMITTAL**  
(for Noncontinuing, Nonprovisional Applications)  
under 37 C.F.R. §1.53(b))

Attorney Docket No. 72978

jc872 U.S. P.  
10/075105  
02/13/02

02/13/02  
jc511 U.S. PTO

Box PATENT APPLICATION  
Commissioner of Patents and Trademarks  
ATTENTION: Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV 004 886 841 US

Date of Deposit 02/13/02

I hereby certify that this paper or fee is being deposited  
with the United States Postal Service "Express Mail  
Post Office to Addressee" Service under 37 CFR §1.10  
on the date indicated above and is addressed to the  
Commissioner of Patents and Trademarks, Washington,  
D.C. 20231.

*JOHNNY HAYNES*  
(Typed or printed name of person mailing)

*Johnny Haynes*  
(Signature of person mailing)

Sir:

Transmitted herewith for filing under 37 C.F.R.  
§1.53(b) is the nonprovisional, noncontinuing  
patent application for:

Title: A Bi-Directional Dual Promoter Complex  
with Enhanced Promoter Activity for  
Transgene Expression in Eukaryotes

First Named Inventor or Application Identifier:  
Li et al.

- ☒ 37 pages of the specification (including claims) are enclosed.
- ☒ 32 sheet(s) of drawings are enclosed. ☐ Formal ☒ Informal - FIGS. 1-27.
- ☐ An executed Oath or Declaration and Power of Attorney naming the actual inventors is enclosed.
- ☒ The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted Oath or Declaration and Power of Attorney (§1.41(a) and §1.53(b)).
- ☐ An Assignment of the invention to \_\_\_\_\_, and cover sheet are enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the fee for recording the assignment is enclosed.
- ☐ The Recordation Form Cover Sheet includes authorization to charge our Deposit Account for recording the assignment.
- ☐ A 37 C.F.R. §3.73(b) statement is enclosed where an assignee seeks to take action.
- ☐ An Information Disclosure Statement is enclosed.
- ☐ A Form PTO-1449 is enclosed.
- ☐ \_\_\_\_\_ References (copies) listed on the Form PTO-1449 are enclosed.
- ☒ A Return Receipt Postcard is enclosed (MPEP §503).

☒ Priority of application number 60/268,358 filed on 02/13/01 in U.S.A. is claimed under 35 U.S.C. §119.

☐ A certified copy of the priority document is enclosed.

☐ A Computer Program Listing Appendix is enclosed.

☐ A Transmittal Cover Letter for Computer Program Listing Appendix is enclosed.

☐ Two (2) Compact Discs are enclosed.

☐ A Nucleotide and/or Amino Acid Sequence Submission is enclosed.

☐ A Computer Readable Copy is enclosed.

☐ A Paper Copy (Identical to Computer Copy) is enclosed.

☐ A Statement Verifying Identity of above Copies is enclosed.

☒ The filing fee is calculated below:

Fee Calculation For Claims As Filed

Basic Fee						\$	740.00
Independent Claims	<u>7</u>	-	<u>3</u>	=	<u>4</u>	x \$	<u>84.00</u> = \$ <u>336.00</u>
Total Claims	<u>23</u>	-	<u>20</u>	=	<u>3</u>	x \$	<u>18.00</u> = \$ <u>54.00</u>
Fee for Multiply Dependent Claims						\$	<u>280.00</u> \$ <u>0.00</u>
Total Filing Fee							<u>DEFER</u>

☐ Applicant(s) assert entitlement to Small Entity Status, reducing the Filing Fee by half to:

\$

☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.

☐ Charge \$\_\_\_\_\_ to Deposit Account No. 06-1135.

☒ The payment of the Filing Fee is to be deferred until the Declaration is filed. Do not charge our Deposit Account.

☒ A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.

☐ Also enclosed:

☒ Address all future communications to Customer Number 22242.



02/13/02

Date

A handwritten signature in dark ink, appearing to read 'James P. Krueger', written over a horizontal line.

James P. Krueger

Registration No. 35,234

FITCH, EVEN, TABIN & FLANNERY  
Suite 1600  
120 South LaSalle Street  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007